

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Whitman, et al.**
Application No.: **09/836,781**
Attorney Docket No.: **3556-P03147US0**
Filed: **April 17, 2001**
For: **"ELECTRO-MECHANICAL SURGICAL DEVICE"**
Examiner: **Tran, Louis B.**
Group Art Unit: **3721**

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this Response and accompanying papers are being deposited on **March 1, 2004** with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS, Alexandria, VA 22313-1450.


March 1, 2004
Date of Certificate


Robin Dolan

Petition for Extension Under 37 CFR §1.136(a)

Applicants' undersigned Attorney hereby petitions for an extension of time of **THREE** months beyond the time period set in the last office communication. The proper fee is enclosed as identified in the enclosed Fee Transmittal form.

March 1, 2004
Date of Certificate


Donald R. Piper, Jr.
PTO Registration No. 29,337

AMENDMENT

In response to the Official Action dated September 5, 2003, please amend the above-identified application as indicated on the following pages.

The amendments to the **claims** begin on **page 2**.

The **remarks** concerning the office action and Applicants' amendments begin on **page 12**.



**REQUEST FOR CONTINUED
EXAMINATION (RCE) TRANSMITTAL**

Address to:

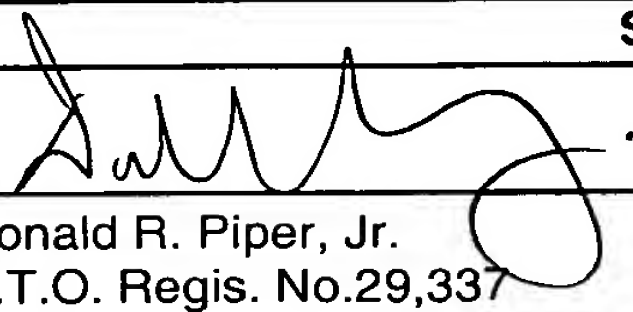
COMMISSIONER FOR PATENTS
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Alexandria, VA 22313-1450.

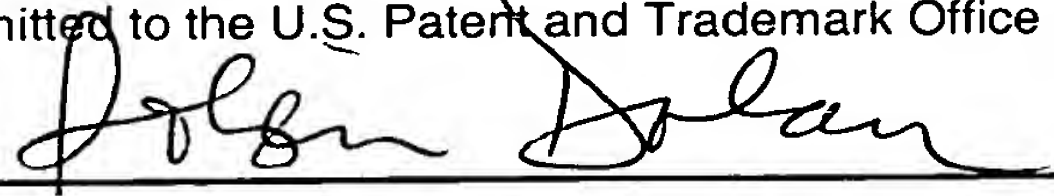
Application No. 09/836,781
Filing Date: April 17, 2001
First Named Inventor: Whitman, Michael, P.
Group Art Unit: 3721
Examiner Name: Tran, Louis B.
Attorney Docket No. 3556-P03147US0

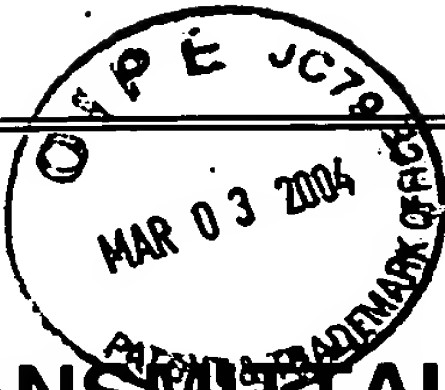
This is a request for a continued examination under 37 C.F.R. 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. §1.114
 - a. ☐ Previously filed
 - i. ☐ Consider the unentered amendment/reply previously filed on _____
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
 - b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☒ Information Disclosure Statement
 - iv. ☐ Other _____
2. ☒ Fee Transmittal Sheet is enclosed in duplicate.
3. ☒ Request for extension: Pursuant to 37 C.F.R. §1.136, Applicant(s) request a three-month extension for filing a response to the outstanding Official Action.

RECEIVED
MAR 09 2004
TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY or AGENT	
	
Donald R. Piper, Jr. P.T.O. Regis. No. 29,337	Phone (215) 563-4100 Fax (215) 563-4044

CERTIFICATE OR MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Mail Stop RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:	
3/1/04 Date	 Robin Dolan



FEE TRANSMITTAL

Complete if known

Application Number:09/836,781

Filing Date: April 17, 2001

First Named Inventor: Whitman, Michael, P.

Group Art Unit: 3721

Examiner Name: Tran, Louis B.

Total Amt. of Payment: (1)+(2)+(3)= \$860

Attorney Docket Number: 3556-P03147US0

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to:

☐ Charge indicated fees

☒ Charge additional fees

☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN

Deposit Account Number 04-1406

2. Payment enclosed:

Check in the amount of \$860

FEE CALCULATION

1. FILING FEE

Fee Description

Utility filing fee

Design filing fee

Plant filing fee

Reissue filing fee

Fee

SUBTOTAL (1) \$0

FEE CALCULATION (continued)

ADDITIONAL FEES

Fee Description

Fee Paid

Surcharge-late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Extension for response within third month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to revive unavoidably abandoned application

Petition to revive unintentionally abandoned application

Issue fee

Petitions to the Commissioner

Petitions related to provisional applications

Submission of Information Disclosure Stmt.

Recording each patent assignment per property

Other fee (specify) RCE

475

385

SUBTOTAL (3) \$860

2.

		Paid		Extr		Fee
Total Claims	44	-44	=	0	x 9	= 0
Independent Claims	4	-4	=	0	x 43	= 0
Multiple Dependent (First presentation)						

SUBTOTAL (2) \$0

Submitted By:

Typed or

Printed Name Donald R. Piper, Jr.

Reg. Number 29,337

Signature

Date March 1, 2004

Deposit Account User ID

04-1406